IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

MICHEAL S. MILLER,)
Plaintiff,)
-VS-) Case No. CIV-21-462-I
WOODWARD POLICE DEPARTMENT,)))
Defendant.)

ORDER

Plaintiff, Micheal S. Miller, a state pre-trial detainee proceeding *pro se*, commenced this action under 42 U.S.C. § 1983. The action was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings in accordance with 28 U.S.C. § 636.

On June 29, 2021, Magistrate Judge Purcell issued a Report and Recommendation, recommending the action be dismissed without prejudice due to plaintiff's failure to pay the required filing fee or request to proceed *in forma pauperis* and plaintiff's failure to comply with the court's orders. Magistrate Judge Purcell advised plaintiff of his right to file an objection to the Report and Recommendation on or before July 19, 2021 and further advised that failure of plaintiff to timely object would waive the right to appellate review of the recommended ruling.

To date, plaintiff has neither filed, nor sought an extension of time to file, an objection. With no objection being filed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on June 29, 2021 (doc. no. 6) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**.

The above-entitled action is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b), Fed. R. Civ. P., for plaintiff, Micheal S. Miller's failure to pay the required filing fee or request to proceed *in forma pauperis* and failure to comply with the court's orders.

IT IS SO ORDERED this 30th day of July, 2021.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE

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